

REMARKS

Claims 1-39 are currently pending in the application. Claims 1, 10, 17, 21, 30 and 37 are independent claims and claims 2-9, 11-16, 18-20, 22-29, 31-36, 38 and 39, respectively, depend from the independent claims. The Applicants request reconsideration of the pending claims in light of the following remarks.

After careful review of the rejections in the instant Office Action, Applicants respectfully submit that the rejections lack specificity. The Office Action has suggested that both of Lent and Mandler *clearly anticipate* (emphasis added) every feature of Applicants' invention as set forth in claims 17-19, 30-32 and 36-38, over Lent, and 1-39, over Mandler, respectively. The Applicants respectfully disagree and submit that the rejections as set forth in the instant Office Action over Lent and Mandler do not support such a high level of anticipation. The Applicants respectfully submit that a *prima facie* case for anticipation has not been made by the rejections.

The Applicants respectfully submit that, if the features set forth in the Applicants' instant rejected claims were so *clearly anticipated* (emphasis added) by both of Lent and Mandler, then the Office Action would have clearly been able to disclose and set forth what specific teachings in Lent and Mandler indisputably correspond to each and every feature set forth in the Applicants' claims, as required by 35 U.S.C. § 102(e) and 35 U.S.C. § 102(b).

However, the Office Action merely suggests that the Applicants see, regarding Lent, (col. 3, line 53 to col. 4, line 37 and col. 17, lines 44-50), and regarding Mandler, (col. 3, lines 6-12, lines 31-65, col. 5, line 60 to col. 6, line 21, and col. 6, line 44 to col. 7, line 15), without providing any explanation or interpretation regarding the teachings of either of Lent and Mandler and the corresponding citations therein.

The Office Action's failure to provide explanation/interpretation of the teachings of Lent and Mandler results in making the Applicants' task of responding to the rejections very difficult because the Applicants must first set forth an assumed teaching of Lent and Mandler and then provide argument against the assumed teachings, instead of the Office Action specifically setting forth the teachings of Lent and Mandler and the Applicants responding thereto.

Therefore, because the rejections over Lent and Mandler lack specificity, explanation and interpretation, resulting in an incomplete Office Action, the Applicants respectfully request that the next Office Action be made non-final. The Applicants respectfully request that any rejection made in any subsequent Office Action be thorough and specific so that the Applicants may be provided with at least a first fair opportunity to respond to the rejection without having to create a rejection and then respond thereto.

In paragraph 2 on page 2 of the Office Action, claims 17-19, 30-32 and 36-38 were rejected under 35 U.S.C. § 102(e) as being unpatentable over Lent et al., US Patent 6,405,181 (Lent). According to the Office Action, Lent clearly anticipates every feature of Applicants' invention as set forth in claims 17-19, 30-32 and 36-38. The Applicants respectfully traverse the rejections as follows.

According to the Office Action, the Lent reference discloses all of the features set forth in Applicants' independent claims 17, 30, and 37. Applicants respectfully disagree and submit that Lent is different from the Applicants' claimed invention. Lent teaches a system and method for providing on-line credit card application approval (col. 3, lines 54-55). Lent teaches an application engine creating a credit card application by prompting an applicant for data and storing the entered data (col. 3, lines 55-57). Lent discloses that the application engine creates an

application by communicating with the applicant over the world wide web using Java, HTML, or other commonly used Internet protocols (col. 3, lines 57-60). The application includes applicant data such as the applicant's address, etc. (col. 3, lines 62-63). The application is received by a parsing engine which parses the applicant information and creates appropriate software objects (col. 3, lines 64-66). The parsing engine parses the data into an exact format that may be used to directly access credit bureau data (col. 4, lines 1-2). The parsed data is passed to a Validator, and the Validator validates certain data entered by the applicant (col. 4 lines 6-7). If the data is determined to be valid, then the validated data is input to an Underwriter (col. 4, lines 13-15). The Underwriter receives the data from the parsing engine and evaluates the data to determine if the applicant should receive an offer of credit (i.e., a credit card) (col. 4, lines 18-20). If the Underwriter determines that an offer of credit should be extended to the applicant, then an offer is made in real time. If the Underwriter determines that no offer of credit should be extended, then the Underwriter determines a reason for rejecting the applicant.

Regarding claim 17, Lent fails to at least teach, suggest, or disclose a method of facilitating financing of at least one product being offered for sale online comprising receiving by a web server at least one web page containing personal information about a buyer. Further, Lent fails to disclose obtaining by a web server at least one web page that contains personal information about the buyer. Additionally, Lent fails to disclose determining by a software engine at least a likelihood of a buyer being approved for financing of at least one product using at least a portion of the credit report information. Lent merely discloses a credit card application approval process. The Applicants respectfully submit that Lent is different from and fails to anticipate the Applicants' invention as set for the in claim 17.

Regarding claim 30, Lent fails to at least teach, suggest, or disclose an affordability based purchasing system comprising at least one web page containing personal information of a buyer. Further, Lent fails to disclose a web server responding to receipt of the at least one web page by obtaining credit report information of the buyer using at least a portion of the personal information. Additionally, Lent fails to disclose a software engine that determines at least a portion of the credit report information being used to determine an amount the buyer can finance using at least a portion of the credit report information. Lent merely discloses a credit card application approval process. The Applicants respectfully submit that Lent is different from and fails to anticipate the Applicants' invention as set for the in claim 30.

Regarding claim 37, Lent fails to at least teach, suggest, or disclose a method of facilitating financing of at least one product being offered for sale online comprising receiving by a web server at least one web page containing personal information about a buyer. Further, Lent fails to disclose obtaining by a web server at least one web page that contains personal information about the buyer. Additionally, Lent fails to disclose determining by a software engine an amount the buyer can finance using at least a portion of the credit report information. Lent merely discloses a credit card application approval process. The Applicants respectfully submit that Lent is different from and fails to anticipate the Applicants' invention as set forth in claim 37.

For at least the reasons set forth above, Lent is different from and fails to disclose all the features set forth in Applicants' independent claims 17, 30, and 37. Applicants assert that claims 17, 30, and 37 are allowable over the cited reference. Applicants respectfully request that rejection of independent claims 17, 30, and 37 under 35 U.S.C. § 102(e) be withdrawn.

Because dependent claims 18, 19, 31, 32, 36, and 38, depend from independent claims 17, 30, and 37, respectively, the Applicants assert that the dependent claims are also allowable over the cited reference. Applicants respectfully request that the rejection of dependent claims 18, 19, 31, 32, 36, and 38 under 35 U.S.C. § 102(e) be withdrawn.

In paragraph 3 on page 3 of the Office Action, claims 1-39 were rejected under 35 U.S.C. § 102(b) as being unpatentable over Mandler et al., US Patent 5,732,400 (Mandler). According to the Office Action, Mandler clearly anticipates every feature of Applicants' invention as set forth in claims 1-39. The Applicants respectfully traverse the rejections as follows.

According to the Office Action, the Mandler discloses all of the features set forth in Applicants' independent claims 1, 10, 17, 21, 30, and 37. The Applicants respectfully disagree and submit that Mandler is different from the Applicants' claimed invention.

Mandler teaches a method for providing transactional capabilities to buyers of goods to have open account trade credit with a plurality of sellers and provide sellers with improved risk assessment and decreased credit costs for buyers (col. 1, lines 9-13). Mandler teaches a financial clearinghouse (FCH) for receiving a registration application for registering buyers via a computer network (col. 3, lines 35-39). The FCH makes a real-time risk classification of each buyer utilizing an on-line repository of credit data (col. 3, lines 39-42). The FCH determines a credit line for each buyer (col. 3, line 46-47). The FCH provides a preliminary authorization for a proposed purchase and transmits a request for a quotation (col. 3, lines 49-51).

However, regarding claim 1, Mandler fails to at least teach, suggest, or disclose an affordability based purchasing system comprising a computer communicatively coupled to a first web server responding to input of personal information causing credit report information to be

obtained from a second web server using at least a portion of the personal information. Further, Mandler fails to disclose the computer running browser software used to review product information regarding at least one product being offered for sale. Additionally, Mandler fails to disclose at least a portion of the credit report information of the buyer being used to determine at least a likelihood of a buyer being approved for financing of at least one product. Mandler merely discloses processing of a registration application for registering buyers via a computer network. The Applicants respectfully submit that Mandler is different from and fails to anticipate the Applicants' invention as set forth in claim 1.

Regarding claim 10, Mandler fails to at least teach, suggest, or disclose an affordability based purchasing system comprising at least one web page containing personal information of a buyer. Further, Mandler fails to disclose a web server responding to receipt of the at least one web page by obtaining credit report information of the buyer using at least a portion of the personal information. Additionally, Mandler fails to disclose a software engine that determines at least a portion of the credit report information being used to determine at least a likelihood of a buyer being approved for financing of at least one product using at least a portion of the credit report information. Mandler merely discloses processing of a registration application for registering buyers via a computer network. The Applicants respectfully submit that Mandler is different from and fails to anticipate the Applicants' invention as set forth in claim 10.

Regarding claim 17, Mandler fails to at least teach, suggest, or disclose a method of facilitating financing of at least one product being offered for sale online comprising receiving by a web server at least one web page containing personal information about a buyer. Further, Mandler fails to disclose obtaining by a web server at least one web page that contains personal information about the buyer. Additionally, Mandler fails to disclose determining by a software

engine at least a likelihood of a buyer being approved for financing of at least one product using at least a portion of the credit report information. Mandler merely discloses processing of a registration application for registering buyers via a computer network. The Applicants respectfully submit that Mandler is different from and fails to anticipate the Applicants' invention as set for the in claim 17.

Regarding claim 21, Mandler fails to at least teach, suggest, or disclose an affordability based purchasing system comprising a computer communicatively coupled to a first web server responding to input of personal information causing credit report information to be obtained from a second web server using at least a portion of the personal information. Further, Mandler fails to disclose the computer running browser software used to review product information regarding at least one product being offered for sale. Additionally, Mandler fails to disclose at least a portion of the credit report information of the buyer being used to determine an amount the buyer can finance. Mandler merely discloses processing of a registration application for registering buyers via a computer network. The Applicants respectfully submit that Mandler is different from and fails to anticipate the Applicants' invention as set for the in claim 21.

Regarding claim 30, Mandler fails to at least teach, suggest, or disclose an affordability based purchasing system comprising at least one web page containing personal information of a buyer. Further, Mandler fails to disclose a web server responding to receipt of the at least one web page by obtaining credit report information of the buyer using at least a portion of the personal information. Additionally, Mandler fails to disclose a software engine that determines at least a portion of the credit report information being used to determine an amount the buyer can finance using at least a portion of the credit report information. Mandler merely discloses processing of a registration application for registering buyers via a computer network. The

Applicants respectfully submit that Mandler is different from and fails to anticipate the Applicants' invention as set for the in claim 30.

Regarding claim 37, Mandler fails to at least teach, suggest, or disclose a method of facilitating financing of at least one product being offered for sale online comprising receiving by a web server at least one web page containing personal information about a buyer. Further, Mandler fails to disclose obtaining by a web server at least one web page that contains personal information about the buyer. Additionally, Mandler fails to disclose determining by a software engine an amount the buyer can finance using at least a portion of the credit report information. Mandler merely discloses processing of a registration application for registering buyers via a computer network. The Applicants respectfully submit that Mandler is different from and fails to anticipate the Applicants' invention as set for the in claim 37.

For at least the reasons set forth above, Mandler is different from and fails to disclose all the features set forth in Applicants' independent claims 1, 10, 17, 21, 30, and 37. Applicants assert that claims 1, 10, 17, 21, 30, are allowable over the cited reference. Applicants respectfully request that rejection of independent claims 1, 10, 17, 21, 30, and 37 under 35 U.S.C. § 102(b) be withdrawn.

Because dependent claims 2-9, 11-16, 18-20, 22-29, 31-36, 38, and 39, depend from independent claims 1, 10, 17, 21, 30, and 37, respectively, the Applicants assert that the dependent claims are also allowable over the cited reference. Applicants respectfully request that rejection of dependent claims 2-9, 11-16, 18-20, 22-29, 31-36, 38, and 39 under 35 U.S.C. § 102(b) be withdrawn.

Applicants believe that all claims 1-39 are in condition for allowance. Should the Examiner disagree or have any questions regarding this submission, Applicants invite the Examiner to telephone the undersigned at (312) 775-8000.

A Notice of Allowability is courteously solicited.

Respectfully submitted,

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